

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN WAYS, JR.,  
FRANK FIROZ,  
CHRISTIAN FIROZ,  
RHONDA DECAMP,  
CONSTANCE HAGELSTEIN,  
JOSHUA WELLBORN,  
ALAN DAVIS,  
MARK COONEY,  
MICHAEL BLACKSTONE,  
DAVID ROBERTS,

Defendants.

8:12CR391

ORDER

This matter is before the court on the motions for an extension of time to file pretrial motions by defendant John Ways, Jr. (Ways) (Filing No. 105), David A. Roberts (Roberts) (Filing No. 103), and Michael Blackstone (Blackstone) (Filing No. 107). Defendants seek an additional thirty days in which to file pretrial motions. Ways and Roberts have filed affidavits agreeing to the motions and acknowledging the additional time may be excluded from computations under the Speedy Trial Act (Filing Nos. 106 and 104). The motions will be granted.

**IT IS ORDERED:**

Defendant Ways , Roberts', and Blackstone's motions for an extension of time to file pretrial motions (Filing Nos. 105, 103, and 107) are granted. Defendants Ways, Roberts, and Blackstone shall have to on or before **February 19, 2013**, in which to file pretrial motions in accordance with the progression order. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., the time between **January 17, 2013, and February 19, 2013**, shall be deemed **excludable**

time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 17th day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge